Remarks

Claims 16-19, 21-43 and 71 are pending in the application. Claims 16 and 71 have been amended to recite that the display comprises a touch screen, previously the subject matter of claim 20. all of the claims are method claims with claims 16 and 71 being independent claims. Claims 17-19 and 21-43 are directly or indirectly dependent on claim 16 so that all of the claims include this limitation.

Claims 16-19 have been rejected under 35 U.S.C. 102(e) as being anticipated by Paff (6665004).

Before discussing this rejection, the applicants would like to point out that Paff as well as the two other cited references, Katz and Yonezawa issued during the pendency of the instant application, i.e., they were copending with the instant application. Paff which issued December 16, 2003 is entitled to the filing date of a related application dated 1991 and therefore is a proper reference for what it teaches which in a 35 U.S.C. 102 rejection is each and every element of the invention, as claimed.

As amended, all of the claims call for the display to comprise a touch screen. The Examiner has admitted that this is not disclosed by Paff but he has taken the position that "it would have been obvious for the display to comprise a touch screen (Official Notice)" (emphasis ours). Doing so would have been obvious in order for user to quickly respond to different alarm conditions." (See item 5, page 3 of the Office Action).

First since this is a 35 U.S.C. 102 ground of rejection as the reference Paff does not disclose the element of a display comprising a touch screen, the rejection should be withdrawn.

As stated in MPEP Section 2144.03, "For further views on official notice, see *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420-421 (CCPA 1970) ("[A]ssertions of technical facts in areas of esoteric technology must always be supported by citation of some reference work" and "allegations concerning specific 'knowledge' of the prior art, which might be peculiar to a particular art should also be supported." Furthermore the applicant must be given the opportunity to challenge the correctness of such assertions and allegations. "The facts so noticed serve to 'fill the gaps' which might exist in the evidentiary showing" and should not comprise the principle evidence upon which a rejection is based.)…If applicant does not seasonably [sic] traverse the well known statement during examination, then the object of the well known statement is taken to be admitted prior art. *In re Chevenard*, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). A seasonable [sic] challenge constitutes a demand for evidence made as soon as practicable during prosecution. Thus, applicant is charged with rebutting the well known statement in the next reply after the Office action in which the well known statement was made. This is necessary because the examiner must be given the opportunity to provide evidence in the next Office action or explain why no evidence is required." (page 2100-103, MPEP Rev. 1, Feb. 2000).

With respect to a 35 U.S.C. 103(a) rejection (see paragraph 4, page 3), the Examiner is requested to cite a reference to support his position bearing in mind that 35 U.S.C. section 103, "that the subject matter as a whole would have been obvious at the time the invention was made" prior to September 2000.

For all of the reasons set forth above, the 35 U.S.C. section 102 rejection of claims 16-19 is not maintainable.

The rejection of claims 20-21 (claim 20 has been canceled and claim 21 is specific to a touch screen) should be withdrawn by the Examiner.

The Examiner has rejected claims 22-39 (35 U.S.C. 103(a)) as being unpatentable over Paff in view of Yonezawa (issued during the pendency of the instant application), the latter being relied on for its teaching to use three-dimensional displays. The Examiner is of the opinion that "it would have been obvious … at the time the invention was made to implement the 3D windows taught by Yonezawa in order to obtain an apparatus that provides the user the ability to easily change the display to adapt to a plurality of different user's needs. Window 612 is but one of six video display areas with numeral 600 representing the video display window Yonezawa at column 6, lines 15 et seq explains this and the significance thereof to the "drag and drops" operation which operation is carried out to drag and drop a camera icon on the map… to an arbitrary video display area in the video display window…" (column 6, lines 34-43).

As neither Paff or Yonezawa discloses the touch screen limitation, this 35 U.S.C. 103(a) rejection as well as that of other dependent claims in the grouping 22-39 must also be withdrawn.

It is noted that Examiner again relied on Official Notice with respect to claim 24 contending that it would have been obvious to make the icon translucent. Applicants' traversal and remarks as set out above with respect to this subject are incorporated herein in their entirety by reference thereto.

The Examiner's rejection of the other claims in this grouping should be withdrawn for the same reason, i.e., the combination of references does not teach or

suggest the invention as claimed in independent claim 16 and this failure is not cured in any of the additional claims.

The Examiner has rejected claims 40-43 and 71 under 35 U.S.C. 103(a) over Paff in view of Yonezawa in further view of Katz, the latter issued March 2006 on an application claiming a 1993 filing date priority.

Katz is relied on as teaching various details aspects of the audio cues (claims 40 and 41).

It is not exactly clear what the specific application of Katz is to claims 42 and 43 but it is noted that there is no teaching or suggestion in any of the three references or any combination thereof of the invention as now set forth in amended claims 16 and 71.

The Examiner has again (two more times) relied on Official Notice (human voice – claim 41 and DVR-claim 43) and the applicants again traverse such multiplex reliances and request a reference citation for each instance. The previous remarks are again incorporated by reference as constituting the applicants' position on Official Notice.

Applicants believe that this application is in condition for allowance and notification thereof is respectfully requested.

Respectfully submitted,

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